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<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
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JUNE 18, 2025	
CLERK, U.S. DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>/s/ RJDG</u>	DEPUTY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

7 SHANA LEE MCCART-POLLAK,

8 Plaintiff,

9 vs.

10 ON DEMAND DIRECT RESPONSE LLC,
 11 Delaware company, ON DEMAND DIRECT
 12 RESPONSE III LLC, Delaware company;
 13 BRETT SAEVITZON, individual; CRAIG
 14 SHANDLER, individual; JEFFREY MILLER,
 individual; MARK MEYERS, individual;
 DOES I-X; ROE BUSINESS ENTITIES I-X;

15 Defendants

Case No: 2:20-cv-01624-GMN-NJK

JOINT STIPULATION PER FRCP 6(b) TO
 EXTEND THE TIME TO FILE A MOTION
 TO SUBSTITUTE PER FRCP 25(a)

FIRST REQUEST

17 Comes now, Plaintiff Shana Lee McCart-Pollak ("Pollak") in proper person;
 18 Defendant Brett Saevitzon (Deceased) ("Saevitzon"); Defendant Craig Shandler
 19 ("Shandler"), by and through their counsel, David K. Dorenfeld, Esq., of Dorenfeldlaw,
 20 inc., hereby submit this JOINT STIPULATION AND ORDER TO EXTEND THE TIME
 21 (PER FRCP 6(b)) TO FILE A MOTION TO SUBSTITUTE (PER FRCP 25(a)), currently
 22 due on or around June 23, 2025, for an additional 90 days.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **Fed. R. Civ. P. 25 Substitution of Parties**

3 **(a) DEATH**

4 (1) *Substitution if the Claim Is Not Extinguished.* If a party dies and the
5 claim is not extinguished, the court may order substitution of the proper
6 party. A motion for substitution may be made by any party or by the
7 decedent's successor or representative. If the motion is not made within
8 90 days after service of a statement noting the death, the action by or
9 against the decedent must be dismissed.
10

11 **Fed. R. Civ. P. 6 Computing and Extending Time; Time for Motion Papers**

12 **(b) EXTENDING TIME**

13 (1) *In General.* When an act may or must be done within a specified time,
14 the court may, for good cause, extend the time:
15

16 (A) with or without motion or notice if the court acts, or if a request
17 is made, before the original time or its extension expires;
18

19 **BACKGROUND**

20 On March 26, 2025, Mr Dorenfeld filed a Declaration of David K. Dorenfeld Re:
21 Death of Client [Brett Saevitzon] on the Court's record and served it on Pollak (See Dkt
22 297) triggering the 90 day
23

24 On April 1, 2025, Pollak sent Mr. Dorenfeld an email stating, "I am looking into
25 substituting Defendant Saevitzon and replacing him with the representative for his estate.
26 Will you be notifying his estate that you were representing him in this litigation?" in which
27 Mr. Dorenfeld replied, "I am trying to get contact information in order to do so."
28

1 Pollak diligently sought this information from Mr. Dorenfeld through multiple emails
2 over the next few months. Mr. Dorenfeld, entered a declaration on June 12, 2025 [Dkt
3 316] detailing his attempt efforts to locate an executor or successor for Saevitzon. Mr.
4 Dorenfeld also requested a copy of the death certificate, but to date has not received a
5 copy.
6

7 GOOD CAUSE

8 There is "Good Cause" for the Court to extend the timeframe to file a Motion to
9 Substitute per FRCP 25(a) as this: 1) would allow the Parties to continue their efforts to
10 determine the executor, the successor, or if one cannot be located to request the Court
11 appoint a special administrator; 2) would allow Pollak the time needed to perfect service,
12 and 3) would allow the Court to properly substitute the correct person (executor,
13 successor, or special administrator) to represent Saevitzon's interests, as well as, allow
14 the case to be adjudicated on the merits.
15

16 The Rule is not intended to be a strict barrier to proceed with cases that may have
17 merit. Indeed, "the history of Rule 25(a) and Rule 6(b) makes it clear that the 90-day time
18 period was not intended to act as a bar to otherwise meritorious actions, and extensions
19 of the period may liberally be granted, *Grapsas v N. Shore Farms Two, Ltd*, No 2:16-CV-
20 775 (DRH) (ARI), 2018 WL 1136088, at *2. Therefore, it would prejudice Pollak for the
21 Court not to allow an extension, due to the potential merits of her case.
22

23 This is the First Request. The parties in this matter respectfully request this
24 Honorable Court to extend out the due date of the Motion to Substitute, due on or around
25 June 23, 2025, for an additional 90 days.
26

27 //

1 Dated this 18th day of June, 2025

2 Shana Lee McCart-Pollak
3 SIGNATURE
4 Shana Lee McCart-Pollak
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6 Liberty, MO 64068
7 Tel: (702) 439-2263
8 Email: Lotsoflovebuddies@yahoo.com
9 Pro Se

6/18/25

10 David K. Dorenfeld
11 *Pro Hac Vice*
12 DorenfeldLaw, Inc.
13 30101 Agoura Court, Suite 210
14 Agoura Hills, California 91301
15 Tel: (818) 865-4000
16 Fax: (818) 865-4010
17 Email: david@dorenfeldlaw.com
18 Attorney for Defendants, Brett Saevitzon
19 and Craig Shandler

20 **IT IS SO ORDERED**, the Motion to
21 Substitute Party must be filed by
22 September 23, 2025. The Joint PreTrial
23 Order is still due July 17, 2025.

IT IS SO ORDERED

24 United States District Judge

25 **DATED:** June 23, 2025

DECLARATION OF SHANA LEE MCCART-POLLAK

I, Shana Lee McCart-Pollak, do hereby declare as follows:

1. I am of legal age and competent to testify to the matters contained herein:

Joint Stipulation per FRCP 6(b) to Extend the Time to File a Motion to Substitute per FRCP 25(a). I have personal knowledge of the facts contained in this declaration unless otherwise qualified or stated.

2. From the time I learned of Saevitzon's passing, I have been diligently seeking the pertinent information for me to file a Motion for Substitution per Rule 25(a).

3. On April 1, 2025, after learning of Saevitzon's death, I contacted Mr. Dorenfeld, Saevitzon's Counsel, making him aware of my intention of substituting Defendant Saevitzon and replacing him with the representative for his estate, and requesting the pertinent information.

4. On May 15, 2025, June 2, 2025, and June 9, 2025, I again reached out to Mr. Dorenfeld requesting the pertinent information, in order to file a motion for substitution.

5. It would prejudice me for the court to not allow an extension of time due to the case heading to trial to be determined on the merits.

I declare under the penalty of perjury under the law of the United States of America that the foregoing is true and correct.

Executed on this 18th day of June, 2025.

Shana Lee McCart-Pollak

Shana Lee McCart-Pollak

CERTIFICATE OF SERVICE

I, Shana Lee McCart-Pollak, declares as follows, I am over the age of 18 years:

My address is: 1104 North Woodridge Lane
Liberty, MO 64068
(702) 439-2263

On June 18, 2025, I served the foregoing document(s) described as:

**JOINT STIPULATION PER FRCP 6(B) TO EXTEND THE TIME TO FIL A MOTION TO
SUBSTITUTE PER FRCP 25(A)
FIRST REQUEST**

I hereby certify that on the 18th day of June 2025, a true and complete copy of the foregoing was served on counsel of record by mail to the addresses indicated below:

Dorenfeld Law
30101 Agoura Court, Suite 210
Agoura Hills, California 91301

I declare under penalty of perjury that the foregoing is true and correct.


Shana Lee McCart-Pollak